

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



February 7, 1984

ALL-COUNTY INFORMATION NOTICE I- 14-84

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: SIGNIFICANT LEGISLATION RELATING TO CHILD WELFARE SERVICES

REFERENCE:

This notice is to call your attention to specific legislation enacted during the 1983 Legislative session that effects provision of child welfare services. We have highlighted the relevant portions of the new legislation in the attached summary.

Questions regarding this legislation should be directed to your Adult and Family Services Operations consultant at (916) 322-6671 or ATSS 492-6671.

Sincerely,


LOREN D. SUTER
Deputy Director

Attachment

cc: CWDA

SIGNIFICANT LEGISLATION PASSED - 1983
(All of the following Statutes became effective January 1, 1984)

1. AB 829 (Johnston) Chapter 1015, Statutes of 1983

This statute allows children with developmental disabilities, mental disorders or physical disabilities to be placed in licensed foster family homes, provided that an appraisal of the child's needs and the ability of the foster home to meet those needs is made jointly by the placement agency and the licensee, and is followed by written confirmation by the licensing agency prior to placement.

2. SB 99 (Presley) Chapter 467, Statutes of 1983

This statute requires that placement practices conform with the Indian Child Welfare Act. The statute also requires the social worker/probation officer to send a notice of any hearing that reviews the status of a dependent child to the child's parent or guardian, foster parent, community care facility or homefinding agency. The social worker/probation officer is also required to provide a summary of his or her recommendation which he or she has forwarded to the court to the foster parents, community care facility or homefinding agency at least 14 days before the court hearing. The facility or agency having physical custody of the minor is now required by this statute to submit a report to the court presenting their recommendations prior to any hearing that may result in the minor being returned to his or her parents or considered for adoption or guardianship.

3. SB 304 (Presley) Chapter 309, Statutes of 1983

This statute, in addition to making changes in the Civil Code relative to adoption proceedings, also allows the court to retain custody of a minor when a minor indicates an unwillingness to return home, if the minor has been sexually molested by a person residing in the home. The statute also stipulates that in the absence of a requested rehearing on the removal of a child from his or her parent's custody, the court may set the matter for trial within 10 days.

4. AB 1550 (Johnson) Chapter 1170, Statutes of 1983

This statute requires that the social worker/probation officer include in the social study required for the court to determine the need for establishing dependency of a minor, a discussion of the value of granting visitation rights to the grandparents of the minor.

The statute also provides that where a court has ordered that a child be removed from the physical custody of his or her parents, it shall consider whether the best interests of the child will be served by granting visitation rights with the child to the minor's grandparents. The statute further requires that the family reunification services arranged by the county welfare department shall include a plan for visitation of the child by his or her grandparents.

Regulations will be forthcoming to implement the additional visitation planning requirement imposed on counties by this statute.